

REMARKS

The foregoing amendments and following remarks are submitted to address the issues raised in the Office Action mailed January 10, 2006. Claims 1-33, 49 and 50 are currently pending in the application, claims 6 and 8 having been withdrawn from consideration. Claims 21-33 and 49 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-5, 7, 10, 16-21, 26-32, 49 and 50 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over EP 424833 to Goodall et al. taken in view of Suzuki et al. (US 5,137,785). Claims 11-15, 22-25 and 33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over EP 424833 to Goodall et al. taken in view of Suzuki et al. (US 5,137,785), as applied above, and further in view of the admitted state of the prior art as applied in the last office action.

Applicant respectfully requests consideration of the application in view of the foregoing amendments and the following remarks.

Claims 21-33 and 49 – 35 U.S.C. § 112, second paragraph

The rejection of claims 21-33 and 49 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention is believed to be rendered moot by the foregoing amendments.

Claim 21 has been amended to state:

(c) contacting the fibrous substrate article comprising the methathesizable material with the elastomeric substrate article to form a composite material; and

(d) curing said composite material to bond said fibrous substrate comprising the metathesizable material to said elastomeric substrate.

It is respectfully submitted that these amendments adequately define the role of the metathesizable material in the bonding of the fibrous substrate to the elastomeric substrate.

Claims 1-5, 7, 10, 16-21, 26-32, 49 and 50 – 35 U.S.C. § 103(a)

The rejection of claims 1-5, 7, 10, 16-21, 26-32, 49 and 50 under 35 U.S.C. § 103(a) as being unpatentable over EP 424833 to Goodall et al. taken in view of Suzuki et al. (US 5,137,785) is respectfully traversed.

It is respectfully submitted that the Suzuki and Goodall references cannot anticipate, nor teach or suggest the present invention method for bonding a fibrous substrate article to a second substrate article as claimed in amended independent claims 1 and 21. The Examiner relies upon Suzuki to teach bonding to a second substrate article. However, nowhere in the disclosure of Suzuki is this suggested.

In particular, neither Goodall or Suzuki teach or suggest the step of contacting the fibrous substrate ... with a second substrate article surface. Both Goodall and Suzuki relate to metathesis reactions within a mold. Applicant amended independent claims 1 and 21 in the previous response to articulate the point that the presently claimed invention relates to bonding a fibrous article to a second substrate article surface. This implies that both the fibrous article and the second substrate article were in existence prior to application of the metathesis material on the fibrous substrate. In Suzuki, the second substrate is placed in a mold and the metathesizable material is introduced therein. Thus, Suzuki cannot be said to teach the bonding of two articles. Rather, Suzuki teaches the formation and bonding of one layer onto a preexisting layer. One feature of the present invention is the ability to bond a fibrous substrate to a second substrate outside of a molding operation. This allows bonding of an elastomer substrate to the fibrous article after the elastomer has been cured, which cannot be accomplished through the teachings of Goodall and/or Suzuki.

Further, as previously argued, the Suzuki reference can only teach polymerizing norbornene type monomers to a polymer sheet. There is no teaching or suggestion for providing a separate fibrous substrate article, much less the step of providing a catalyst at the fibrous substrate article surface. One of ordinary skill in the art in view of Applicants' specification would readily understand that the claimed articles are articles of manufacture and cannot be taught or suggested by monomers or filler particles.

To summarize, neither Suzuki or Goodall, either alone or in combination, teaches contacting the catalyst on the fibrous substrate article surface with a metathesizable material, and contacting the fibrous substrate article surface including the metathesizable material with a second substrate article surface whereby bonding between the articles occurs by curing the metathesizable material therebetween.

Claims 11-15, 22-25 and 33 – 35 U.S.C. § 103(a)

The rejection of claims 11-15, 22-25 and 33 under 35 U.S.C. § 103(a) as being unpatentable over EP 424833 to Goodall et al. taken in view of Suzuki et al. (US 5,137,785), as applied above, and further in view of the admitted state of the prior art as applied in the last office action is respectfully traversed.

In view of the arguments presented hereinabove, it is respectfully submitted that the combination of references cannot teach or suggest the invention claimed in independent claims 1 and 21, and claims dependent therefrom.

Allowable Subject Matter

Notice that claim 9 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims is greatly appreciated.


Conclusion

Applicants respectfully requests early consideration of the present application, entry of all amendments herein requested, and allowance of all pending claims.

The Examiner is respectfully invited to contact Todd W. Galinski at (919) 468-5979 ex6204, to discuss any matter relating to this application.

Respectfully submitted,
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